IN THE HIGH COURT OF JUDICATURE AT BOMBAY
O.O.C.J.
SUMMONS FOR JUDGMENT NO.884 OF 2004
IN
SUMMARY SUIT NO.3872 OF 2003

Wiseman Finance Pvt. Ltd. ...Plaintiff.

V/s.

Beautiful Realtors Ltd. ...Defendant.

Shri S.B.Amin for the Plaintiff.
Shri F.Dubhash i/b T.N.Tripathi for the Defendant.

CORAM: S.U.KAMDAR,J.
DATE : 11th October, 2005.
P.C.:

1. Amount claimed in the present Suit is Rs.62,22,568/- consisting of principal amount being Rs.35 lakhs with interest thereon of Rs.27,22,568/-. The claim arises out of an inter-corporate deposit dated 10th September, 1997. The same was repayable after 90 days with interest at the rate of 20.5% per annum. The said deposit has been renewed from time to time. Balance confirmation has been given by the Defendants. Only defence raised is that the Suit is not maintainable as the Summary Suit. In view of the judgment of this Court in the case of Bank of India vs. Padma Alloy Casting Pvt. Ltd. & Ors. reported in AIR 1999 Bombay 340, this court has already held that the amount covered by the inter-corporate deposit is maintainable as Summary Suit. Letter is at Ex.A. In that

view of the matter, Suit is maintainable as Summary Suit. There is no other defence. In that view of the matter, there shall be decree in favour of the Plaintiff and against the Defendant as prayed. Summons for Judgment made absolute accordingly.

(S.U.KAMDAR,J.)